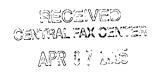
Mony R. Ghose Senior Intellectual Property Counsel One Becton Drive, MC 089 Franklin Lakes, New Jersey 07417-1880

tel: 201.847.6802 fax: 201.847.5377 www.bd.com





Fax

Attention: Examiner Mark K. Han

Company: United States Patent and Trademark Office

Fax number: (703) 872-9306

From: Mony R. Ghose

Date: April 7, 2005

Number of Pages (including this cover): 2

If you do not receive all of the pages, please call: Lorraine Kowalchuk 201-847-6455

Applicant(s):	Moulton, et al.	Atty. Docket No.:	P-5049C1	
Serial No.:	10/667,092	Group Art Unit:	3763	
Filed:	September 18, 2003	Examiner:	Mark K. Han	
For:	Cantilever Push Tab For	tilever Push Tab For An Intravenous Medical Device		

The following documents are attached to this facsimile:

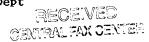
 Terminal Disclaimer (dated April 7, 2005) To Obviate A Double Patenting Rejection Over A Prior Patent

Confidential

The pages accompanying this transmission contain or may contain information from BD (Becton, Dickinson and Company) which is confidential, proprietary and/or legally privileged. The information is intended only for the use of the individual or emity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or taking of any action in reliance on the contents of this transmission is strictly prohibited, and the pages received by you are to be destroyed immediately. In this regard, please notify the sender of this transmission that you have received the transmission in error and have destroyed the pages

If you do not receive all of the pages, please call as soon as possible, via direct fax line indicated above or by telephone to the sender indicated above.

Becton, Dickinson and Company



APR 97 cost

PTO/SB/26 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING		Docket Number (Optional)		
REJECTION OVER A PRIOR PATENT		P-5049C1		
In re Application of: Moulton, et al.				
Application No.: 10/667.092				
Filed: 09/18/2003				
For: Cantilever Push Tab For An Intravenous Medical Device				
The owner*, Becton Dickinson and Company, of 100 disclaims, except as provided below, the terminal part of the statu which would extend beyond the expiration date of the full statut shortened by any terminal disclaimer, of prior Patent No. 6.638.23 so granted on the instant application shall be enforceable only from commonly owned. This agreement runs with any patent granted its successors or assigns.	utory term of any patent granted ory term defined in 35 U.S.C. 52	on the instant application, 154 and 173, as presently eby agrees that any patent it and the prior patent are s binding upon the grantee,		
In making the above disclaimer, the owner does not disc application that would extend to the expiration date of the full significant prior patent, as presently shortened by any terminal disclaimer maintenance fee, is held unenforceable, is found invalid by a continuous whole or terminally disclaimed under 37 CFR 1.321, has all claim is in any manner terminated prior to the expiration of its full disclaimer.	tatutory term as defined in 35 er, in the event that it later: e court of competent jurisdiction, ns canceled by a reexaminatio	U.S.C. 164 and 173 of the expires for failure to pay a is statutorily disclaimed in n certificate, is reissued, or		
Check either box 1 or 2 below, if appropriate.				
1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.				
I hereby declare that all statements made herein of my information and belief are believed to be true; and further that the false statements and the like so made are punishable by fine or the United States Code and that such willful false statements makes and thereon.	ese statements were made with imprisonment, or both, under t	the knowledge that willful Section 1001 of Title 18 of		
2. The undersigned is an attorney or agent of record.	Mory L. She	April 7, 2005		
·	Signature	Date		
Mony R. Ghose, Reg. No. 38,159 Typed or printed name		g. No. 38,159		
		ted name		
(201) 847-6802		5802		
Telephone Number				
Terminal disclaimer fee under 37 CFR 1.20(d) included.				
WARNING: Information on this form may become pu be included on this form. Provide credit card inform	ublic. Credit card Information she ation and authorization on PTO-	ould not 2036.		
*Statement under 37 CFR 3.73(b) is required if terminal disclaims Form PTO/SB/96 may be used for making this certification. See I		r).		

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. .